


AFFIDAVIT

This is to certify that I am currently a Vice President of the National Association of Forensic Economists (NAFE) and national co-chair for the next, annual meetings of that group in conjunction with the American Economic Association. The following are facts and opinions related to the proper calculation of lost enjoyment of life (hedonic) damages and the methods used by Professor Stan Smith:


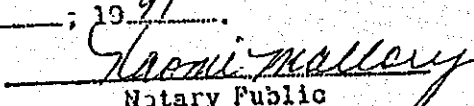
1.) Stan Smith and I outlined the methodology of hedonic calculations in the book Economic/Hedonic Damages: The Practice Book for Plaintiff and Defense Attorneys. (Cincinnati: Anderson, 1990) and in the article "Hedonic Damages and Personal Injury--A Conceptual Approach," Journal of Forensic Economics (December 1989).

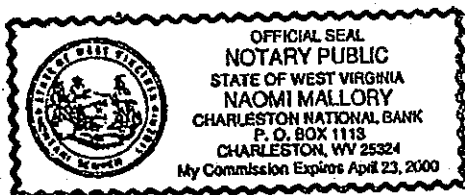
2.) While no one has surveyed the 600 or so members of NAFE to determine opinions and methods regarding hedonic calculations, it is my personal knowledge that many colleagues in NAFE, including other national officers of this group, use the general methodology developed by Stan Smith and me.

3.) I have testified using this methodology on several occasions during the last few years. These testimonies have been in federal and/or state courts of West Virginia, Ohio, Tennessee, and South Carolina.


Michael L. Brookshire, Ph.D.
Professor of Economics
University of West Virginia


Date

Sworn and subscribed by 
before me a Notary Public in and for the State of
Kanawha, State of West Virginia, this 16th day of
May, 1991.

Notary Public



MELVILLE Z. WOLFSON, Ph.D.

FORENSIC ECONOMICS

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FAX: 581-7133
885-3896

PO Address:
30 O'Keeffe Avenue
Apt 200
New Orleans, LA 70113

Affidavit

The undersigned does hereby swear and affirm the following:

1. The enclosed resume includes the academic degrees of Doctor of Philosophy in Economics (University of Illinois-Urbana) and Juris Doctor (Tulane University School of Law).

2. Testimony regarding the estimation and calculation of loss of the capacity to enjoy life this writer has offered in jurisdictions in Louisiana and Mississippi. Illustrations of calculation of these losses include references to peer-reviewed studies in the academic economic literature on Willingness-To-Pay to save statistical lives. These studies are based on what people are willing to pay to reduce the risk of death, and what workers are willing to accept as payment for accepting such risk on the job. This methodology is one widely accepted and has been published in peer-reviewed literature for several decades in economic journals of the highest quality. The method is one of several economists might utilize in an effort to assist fact finders in deliberating their own calculus of this element of damage.

3. Based on this method and generally accepted economic principles central to the utilization of others, economists can assist fact finders in calculating loss of enjoyment of life damages in personal injury cases with a reasonable degree of economic certainty. This function can provide valuable assistance in determining intangible losses for a given individual. An example of this method can be found in Economic/Hedonic Damages: A Practice Book for Plaintiff and Defense Attorneys, and supplements, by M. L. Brookshire and S. V. Smith, Anderson Publishing Co., Cincinnati, Ohio, 1990.

4. Disagreements among economists in the forensic field in this area regarding these calculations do not materially differ from the many disagreements that exist over methodologies in other areas of economic testimony, such as valuing businesses, calculating work-life for injured workers, estimating discount rates for present value purposes, etc., where diversity of expert economic opinion has long been accepted in courts of law.

Dated this 18 day of December, 1996.



Melville Z. Wolfson
Melville Z. Wolfson, Ph.D., J.D.

CURRICULUM VITAE

PERSONAL

NAME: Melville Z. Wolfson
ADDRESS: 4628 Taft Park
Metairie, Louisiana 70002
PHONE: 504-581-7130 (O)
504-888-4296 (H)
DATE OF BIRTH: August 15, 1941
MARITAL STATUS: Widower, 3 children

EDUCATION

- Isidore Newman School, New Orleans, Louisiana (1959)
- B.S., cum laude, (Business), LSU in New Orleans (1963)
- M.S., (Labor Economics), University of Illinois (1964)
- Ph.D., (Economics, Finance), University of Illinois (1971)
- J.D., Tulane University (1973)

EXPERIENCE

- University of Illinois Teaching Assistant (1964-1965)
- University of New Orleans (1967-), currently Associate Professor

COURSES

Statistics, Labor Economics, Collective Bargaining, Graduate Business Research, Corporate Finance, Finance, Money and Banking, Graduate Macro Economics, Theory (representative courses).

PROFESSIONAL

- National Association of Forensic Economists (Charter Member)
- American Academy of Financial and Economic Experts (Charter Member)
- National Association of Economic Arbitrators
- Various Economic Associations: American, Southern, Southwest, Louisiana

EDITORIAL

- Editorial Board, Journal of Legal Economics
- Reviewer, Journal of Legal Economics, Journal of Forensic Economics

CONSULTING

Qualified: Labor Economist, Forensic Economist, Statistician, Real Estate Expert, Valuation of Business and Business Loss.

TESTIMONY AND ACCEPTED

Federal and State Courts: Louisiana, Mississippi, Alabama, Florida, South Carolina, Tennessee, Texas, and Federal Courts in New York and California.

State of Louisiana:

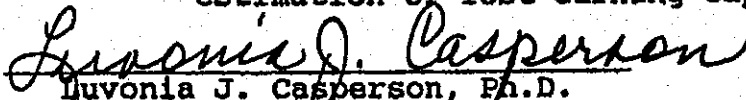
Parish of Caddo:

A F F I D A V I T

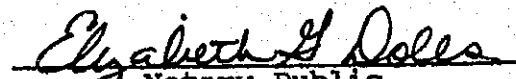
I hereby swear and affirm the following:

That I am Luvonia J. Casperson, Ph.D., am Chair of the Department of Economics and Finance at Louisiana State University at Shreveport and have taught Economics at LSU-S since 1975. That I have been a member of the American Economics Association since 1972, and a member of the National Association of Forensic Economists since its inception in 1986.

- 1.) Further, that I currently serve as one of six vice presidents of the National Association of Forensic Economists, which is a sub-group of the American Economic Association comprised of more than 500 members.
- 2.) That I have calculated lost enjoyment of life (hedonic) damages, based upon a multitude of willingness to pay studies in the economic literature. These studies value an American life based upon what workers and consumers are willing to pay to preserve (save) an American life.
- 3.) That from my personal knowledge, at least three of six vice presidents of the National Association of Forensic Economists currently estimate lost enjoyment of life damages.
- 4.) That lost enjoyment of life damages can be estimated with a reasonable degree of professional certainty. Disagreements among forensic economists over specific aspects of such calculations do not differ from disagreements over other calculations long accepted in courts of law--such as the exact relationship between wage growth and discount rates in the estimation of lost earning capacity.


Luvonia J. Casperson, Ph.D.

Subscribed to and signed before me, this 4th day of December, 1991.


Notary Public
ELIZABETH G. DOLES, Notary Public
Caddo Parish, Louisiana
My Commission is for Life

Case 2:08-cv-04217-NKL Document 188-1 Filed 12/01/09 Page 4 of 9

STATE OF DISTRICT OF COLUMBIA
CITY OF _____) SS.

On this 16th day of May, 1991, before me, the undersigned Notary Public, personally appeared Charles de Seve, Ph.D. known to me to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Virginia L. Hackley
NOTARY PUBLIC Virginia L. Hackley
My Commission Expires February 14, 1993

My Commission Expires: 2/14/93

A F F I D A V I T

I hereby swear and affirm the following:

- 1.) That I am a business economist (Vita attached) and have been involved in court testimony for over 27 years.
- 2.) I currently serve as one of six vice presidents of the National Association of Forensic Economists, which is a sub-group of the American Economic Association comprised of more than 500 members.
- 3.) That I have calculated lost enjoyment of life (hedonic) damages, based upon a multitude of willingness to pay studies in the economic literature. These studies value an American life based upon what workers and consumers are willing to pay to preserve (save) an American life.
- 4.) That lost enjoyment of life damages can be estimated with a reasonable degree of professional certainty. The calculations, however, represent values of a statistical life and not the precise value for a given individual. The values can be used by the jury as a benchmark in placing a specific value on the life of the given individual.
- 5.) Disagreements among forensic economists over specific aspects of such calculations do not differ from disagreements over other calculations long accepted in courts of law--such as the exact relationship between wage growth and discount rates in the estimation of lost earning capacity.

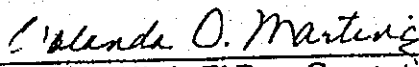

Signed

(Everett Dillman, Ph.D)

12-2-91
Date

N O T A R Y

SUBSCRIBED AND SWORN TO before me on this the 2nd day of December, 1991.


Notary Public in El Paso County,
the State of Texas

My Commission Expires: 4-22-93

NATIONAL ASSOCIATION
OF
FORENSIC ECONOMISTS

5 of 7 Board
Members support
Hedonic Damage
Calculations
(See Affidavits)

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NAFE Membership Rates

1-Year Regular Membership	\$ 75.00
3-Year Regular Membership	\$200.00
Annual Institutional Membership	\$ 75.00
Annual Student Membership (Registered Students Only)	\$ 20.00

Membership fees include subscription to the *Journal of Forensic Economics* published three times yearly. Library, law firm and business subscriptions are Institutional Memberships.

Applications for membership, manuscripts and editorial correspondence should be addressed to National Association of Forensic Economists, P.O. Box 30067, Kansas City, Missouri 64112. Membership: (816) 235-1314, *Journal of Forensic Economics*: (816) 235-1314 or 2833. FAX: (816) 235-5263.

* Estimate Hedonic Damages as Experts.
Others may also - I do not know.



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Dunbar, West Virginia 25064

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Telecopier: 744-0795
Area Code: (304)

VIA FACSIMILE

M E M O R A N D U M

TO: Stan Smith
FROM: Michael L. Brookshire *MLB/lsk*
SUBJECT: Atlanta NAFE Meeting and Dr. Viscusi's Comments
DATE: May 6, 1992

At the Annual Meeting of the National Association of Forensic Economists in Atlanta in December, 1989 one of the three section meetings was devoted to the loss of enjoyment of life damages. The four panelists presenting papers included Kip Viscusi, Ted Miller, Bill Dickens and Stan Smith. A compendium of these was published in the Fall, 1990 issue of the Journal of Forensic Economics.

In the paper handed out at the meeting, and in his presentation, Viscusi maintained that whole life costs, in the dimension of \$5,000,000 should be used as the basis for valuing life. Smith presented loss of enjoyment of life figures netting out lost earnings, amounting to approximately 2.3 million dollars for a statistically average person. Miller and Dickens also made presentations. A general discussion by the panelists followed.

Viscusi maintained that he believed these estimates of the value of life should be used only in product liability cases. When pressed by Smith as to what figures Viscusi would provide to a jury if and when a jury was allowed to award for the value of life in non-product cases, Viscusi replied: "Well then I would provide your figures, Stan."

MLB/lsk



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M E M O R A N D U M

TO: Charles de Seve
Stan Smith

FROM: Michael Brookshire 

RE: Hedonic Reference Files

DATE: January 28, 1991

This is to document an important comment from the December 1990 NAFE and AEA meetings in Atlanta. After Dr. Dickens concluded his criticisms on the state of hedonic research, he stated, nevertheless, that he thought a \$2 million value of an American life "sounded about right".

MLB/sec